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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,391	09/12/2003	Jeffrey George	60518-167	8434
27305 7590 08/10/2007 HOWARD & HOWARD ATTORNEYS, P.C. THE PINEHURST OFFICE CENTER, SUITE #101 39400 WOODWARD AVENUE BLOOMFIELD HILLS, MI 48304-5151			EXAMINER PANDYA, SUNIT	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 08/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/661,391

Applicant(s)

GEORGE ET AL.

Examiner

Sunit Pandya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/25/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is in response to amendment filed 7/10/07, wherein claims 1-4, 40-42 have been amended, claim 5 has been canceled and claim 80 is added.

Information Disclosure Statement

The information disclosure statements (IDS) submitted on 1/16/2004, 5/20/2005 and 11/29/2005 are acknowledged. The submission is in compliance with the provisions of 37 CFR 1.97 & 1.98. Accordingly, the examiner has considered the information disclosure statements.

Oath/Declaration

Acknowledgement is made of applicant's Oath/Declaration meets standard required by 35 U.S.C. 25 & 115.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 6-41 & 45-80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miodunski et al. (US Patent 5,833,540).

Claims 1-2, 40-41: Miodunski et al. teaches a remote system for using with a gaming machine for processing a table rating on at least one gaming machine, wherein a host computer is coupled to the gaming machine by a network (abstract). Miodunski et al. discloses a remote device for receiving table rating information and a remote network interface coupled to the device for exchanging data between the host computer and the remote device (figure 1 and col. 3: 50-5), wherein the remote device is coupled to the network by a wireless connection (figure 1).

However Miodunski et al. does not disclose a remote device embodied in a hand held computer. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a remote device being embodied in a mobile computer easily carried by the computer user, since it has been held that making an old device portable or movable without producing any new and unexpected result involves only routine skill in the art, see *In re Lindberg*, 93 USPQ 23 (CCPA 1952).

Claims 3-4, 42-44: Miodunski et al. teaches a remote device for receiving table rating information and a remote network interface coupled to the device for exchanging data between the host computer and the remote device (figure 1 and col. 3: 50-5), wherein the remote device is coupled to the network by a wireless connection (figure 1). Miodunski does not specifically disclose that the connection use the IEEE 802.11 or 802.11b or 802.11g standard protocols. Industry standards are just that – standard. One of ordinary skill would have any number of reasons for adopting industry standards.

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Standards foster interoperability; lower costs by allowing the purchase of off-the-shelf parts; cut design time, etc. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Miodunski et al. to have used one of the various industry standard communications protocols in order to gain the benefits of adopting industry standards outlined above.

Claims 6-10, 45-48, 72: Miodunski et al. teaches the said remote device having a processor and a web client for interaction, wherein the web-client is use to acquire data from players and formatting the data, wherein the data includes table rating forms (user info to be filled by the user) and the remote device to return the forms back to the network interface, wherein the network interface contains a processor and a web-client for interactions with users (figures 1, 3 & 4 and col. 3-4: 45-18, and col. 5: 26-6).

Claims 11-13, 49-51: Miodunski et al. teaches network interface to confirm that all the information required for the table rating was entered and the information is valid. Once the information has been entered, the host or network interface creates a record for the player (col. 6: 7-58, col. 7: 40-54, 8: 46-53).

Claims 14, 52: Miodunski et al. teaches the retrieving player information from the database as a function of the table rating status, retrieving a status form from the host computer containing the player information and table rating status, and instructing the remote device to display the status form (col. 6: 7-58, col. 7: 40-60).

Claims 15-27, 53-67: Miodunski et al. teaches of table rating status one of an open or closed status, wherein retrieving the closed status form if the status is closed (wherein the closed status form having a button which is de-pressed by the player to

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close status) and updating the table rating to reflect the closed status or retrieving an open status if the status is open and continuously updating the table rating according to the players' performance and updating the table rating information to reflect the status (col. 9: 15-29, 45-13),

Claims 28-29, 68-69: Miodunski et al. teaches a plurality of objects coupled to the database tables for retrieving and storing data (col. 7: 29-39).

Claims 30-39, 71, 73-79: Miodunski et al. teaches of receiving queries from the remote network interface, retrieves responsive data from the database, updating the data (which includes player's name, ID card number and/or other identification numbers) and returning the responsive data to the remote network interface (figure 5 and col. 8: 36-61 and col. 9-10: 3-14).

Response to Arguments

Applicant's arguments with respect to claims 1-4, 6-80 have been considered but are moot in view of the new ground(s) of rejection.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent 6,712,698, wherein Paulsen et al. discloses of a player tracking unit as wells as a metering game service interface that allows a casino operator to obtain and operate on metering information at a gaming machine utilizing a hand held remote device.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunit Pandya whose telephone number is 571-272-2823. The examiner can normally be reached on 8 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SP



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SUPERVISORY PRIMARY EXAMINER